IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 71 of 2006 (M/B)(PIL)

Lalit S/o Sri Inder Jeet,
R/o Raj Nagar Colony,
Near Railway Station, Jwalapur,
Haridwar. …… Petitioner

Versus

1. Union of India,
through its Secretary,
Ministry of Law and Justice,
New Delhi.
2. Union of India,
though its Secretary,
Ministry of Company Affairs,
New Delhi.
3. State of Uttaranchal,
through its Secretary,
Ministry of Law and Justice,
Dehradun.
4. Securities Exchange Board of India (SEBI),
Mumbai through its Chainman.
5. M/s Jet Airways Ltd. SM Centre,
having its Registered Office at
Andheri Kurla Road,
Andheri (East), Mumbai 400059,
Through its Managing Director.
6. M/s Air Sahara,
having its Registered Office at
7 Kapoorthala Complex Sahara India Tower,
Aliganj, Lucknow –226024,
Through its Managing Director. …… Respondents

Mr. Pankaj Miglani, Advocate for the petitioner.

JUDGMENT
Coram: Hon. Rajeev Gupta, C.J.
Hon. P.C. Verma, J.

RAJEEV GUPTA, C.J. (Oral)

1. The petition has filed this writ petition styled as Public Interest Litigation for the following relief:

> "1. To issue the Writ, Order or Direction in the nature of Mandamus directing the respondents no. 2 & 4 to probe into the matter of deal between respondent no. 5 & 6 before the same is finalized.

2. To issue a Writ, Order or Direction in the nature of Mandamus directing the respondent no. 1 to constitute the Competition Commission at the earliest so as to let the Cartelization under Check and the economy of the Country could be saved from monopolistic & unfair trade practices.

3. To issue any other suitable Writ, Order or direction as this Hon'ble court may deem fit and proper under the facts and circumstances of the case.

4. To award the costs of the petition to the petitioner."

2. We are not satisfied that the alleged deal between respondents Nos. 5 and 6 would adversely affect the 'Public Interest' in any manner. We, therefore, decline to entertain the writ petition as 'Public Interest Litigation'.

3. The writ petition, therefore, fails and is, hereby, dismissed.

(P.C. Verma, J.) **(Rajeev Gupta, C.J.)**
14.02.2006 **14.02.2006**

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